

Application No.: 10/073,029
Art Unit: 2685

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REMARKS

Withdrawal of the finality of the last Official Action and formal acceptance of the above amendments as a Submission in connection with USPTO RCE practice is respectfully requested.

By the above-made amendments, previously pending claims 1-10 were cancelled but, however, without prejudice or disclaimer of the subject matter therein. Also, claims 11-14 were newly added. Claims 11-14 are a re-presenting of previously indicated allowable subject matter in an appropriate self-contained format. With regard to this, the Examiner is referred to the discussion in the detailed action under the heading "Allowable Subject Matter" in the previously standing Final Office Action. Turning to the newly added claims, new independent claims 11-14 are a re-presenting of the previously indicated otherwise allowable dependent claims 4, 5, 6 and 7, respectively, in an appropriate self-contained format. In this regard, independent claim 9 combines the contents found in previously pending claims 1, 3 and 4; new claim 12 combines the contents of previously pending claims 1, 3 and 5; new claim 13 combines the contents of previously pending claims 1 and 6; and new claim 14 combines the contents of previously pending claims 1 and 7. Also, the newly presented claims 11-14 have been somewhat revised in order to avoid the matters raised regarding the last four lines in previously pending base claim 1, in connection with the previously standing rejection 35 U.S.C. 112 related thereto.

With the canceling of claims 1-10, the previously standing rejection under 35 U.S.C. 112, first paragraph, as well as the art rejections under 35 U.S.C. 103 have been rendered moot. Consistent with the above comments, the canceling of claims 1-10 should not be construed as acquiescence with regard to the merits of the

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rejections thereto. In fact, in the accompanying RCE Transmittal Form, Applicants, through their undersigned representative, have requested that further action with regard to the above-identified application be suspended, pursuant to 37 C.F.R. 1.103(C), for a period of three months, noting that Applicants are considering the filing of a Preliminary (Supplementing) Amendment.

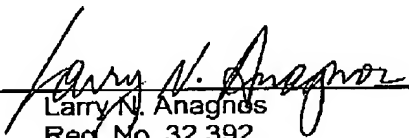
Formal acceptance of this Submission in connection with USPTO RCE practice along with the withdrawal of the finality of the last Office Action is respectfully requested. Acceptance of the Request for Temporary Suspension as noted above and also in the RCE Transmittal Form is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 843.41127X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By


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LNA/gjb